

**UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF PENNSYLVANIA**

PLUMBERS & PIPEFITTERS LOCAL 178 HEALTH  
& WELFARE TRUST FUND, on behalf of itself and  
others similarly situated

Plaintiff,

v.

ACTAVIS HOLDCO U.S., INC.; TEVA  
PHARMACEUTICALS USA, INC.; TEVA  
PHARMACEUTICAL INDUSTRIES LTD.; MYLAN,  
INC.; MYLAN PHARMACEUTICALS INC.; UDL  
LABORATORIES, INC.; ENDO INTERNATIONAL  
PLC; PAR PHARMACEUTICAL HOLDINGS, INC.;  
QUALITEST PHARMACEUTICALS, INC.;  
HERITAGE PHARMACEUTICALS INC.;  
BRECKENRIDGE PHARMACEUTICALS, INC.;  
UPSHER-SMITH LABORATORIES, INC.; and  
ROUSES POINT PHARMACEUTICALS, LLC

Defendants.

Case No. 17-cv-0144 (CMR)

ORAL ARGUMENT  
REQUESTED

**NOTICE OF DEFENDANTS HERITAGE PHARMACEUTICALS INC.'S AND  
UPSHER-SMITH LABORATORIES, INC.'S  
MOTION TO DISMISS FOR LACK OF PERSONAL JURISDICTION**

Pursuant to Rule 12(b)(2) of the Federal Rules of Civil Procedure, Defendants Heritage Pharmaceuticals Inc. and Upsher-Smith Laboratories, Inc. (together, "Out-of-State Defendants") hereby move this Court for an order under dismissing all claims against the Out-of-State Defendants. As explained in greater detail in the accompanying Memorandum of Law, all claims should be dismissed because this Court may not exercise personal jurisdiction over the Out-of-State Defendants in this action.

Dated: March 7, 2017

Respectfully submitted,

KIRKLAND & ELLIS LLP

GIBSON, DUNN & CRUTCHER LLP

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***Attorneys for Defendant Heritage  
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**CERTIFICATE OF SERVICE**

I hereby certify that on March 7, 2017, the foregoing Notice of Defendants Heritage Pharmaceuticals Inc.'s and Upsher-Smith Laboratories, Inc.'s Motion to Dismiss for Lack of Personal Jurisdiction was served via the Court's CM/ECF system, which will send notification and a copy of such filing to all counsel of record. I further certify that the foregoing document is available for viewing and downloading from the CM/ECF system.

/s/ D. Jarrett Arp

D. Jarrett Arp